

DECISION

Dispute Codes: MNR, MNDC and FF

Introduction

This application was brought by the landlord on February 18, 2011 seeking a Monetary Order for unpaid rent, NSF fees and recovery of the filing fee for this proceeding.

As a matter of note, the landlord's agents signed in the hearing at the scheduled time, gave their evidence and were excused after 10 minutes, the standard minimum duration hearings are held open to await an absent participant. The female tenant signed in 15 minutes late but said she had merely intended to propose a repayment schedule to the landlord. She was referred to the telephone number on the landlord's application form and gave no evidence or challenge to the application.

Issues to be Decided

This application requires a decision on whether the landlord is entitled to a Monetary Order for two months unpaid rent and NSF fees, and recovery of the filing fee for this proceeding.

Background and Evidence

This tenancy began on May 1, 2007 and ended on May 31, 2009 on the tenants' notice. Rent was \$708 per month.

In addition to the rental agreement and a copy of the tenants' ledger, the landlord submitted a copy of a statement of the tenants' account sent to them on May 22, 2009 showing outstanding rent of \$708 plus \$20 NSF fees for each of April and May 2009.

A further "Moveout Chargeback Invoice" dated August 4, 2009 reiterated the unpaid rent and an additional charge of \$26.25 for removal of contents from the yard.

The landlord sent another reminder to the tenants on September 22, 2009 noting that the \$26.25 had been paid but that the rent and NSF fees remained outstanding. The letter invited the tenants to contact the landlord to arrange payment options but cautioned that the landlord would begin collection proceedings if there was no contact or payment.

Analysis

I find that the tenants did not pay the rent due for April and May 2011 and that they are responsible for that rent and for the NSF fees claimed by the landlord.

Having found full merit in the application, I find that the landlord is entitled to recover the filing fees for this proceeding.

Thus, I find that the tenants owe to the landlord an amount calculated as follows:

Rent for April 2009	\$ 708.00
NSF Fee for April 2009	20.00
Rent for May 2009	708.00
NSF Fee for May 2009	20.00
Filing fee	50.00
TOTAL	\$1,506.00

Conclusion

The landlord's copy of this decision is accompanied by a Monetary Order for \$1,506.00, enforceable through the Provincial Court of British Columbia for service on the tenants.

June 2, 2011